

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

-oOo-

KEVIN MCCABE,

Plaintiff,

vs.

RAMPARTS, INC., d/b/a/ LUXOR  
HOTEL AND CASINO aka  
LUXOR-LAS VEGAS,

Defendant.

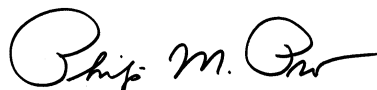
2:08-CV-01232-PMP-GWF

**ORDER**

Defendant's Motion in Limine 14 to Exclude Demonstrative Evidence Regarding Plaintiff's Surgical Procedures (Doc. #226) is not capable of pretrial determination because in the pre-trial context cannot assess what specific evidence Defendant seeks to exclude nor whether such evidence would be relevant and helpful to the jury in resolving factual questions in this case.

**IT IS THEREFORE ORDERED** that Defendant's Motion in Limine 14 to Exclude Demonstrative Evidence Regarding Plaintiff's Surgical Procedures (Doc. #226) is **DENIED** without prejudice to Defendant to assert objections cognizable under the Federal Rules of Evidence at the time of trial thereby enabling the Court to consider Defendant's objections and Plaintiff's responses in the context of the evidentiary record.

DATED: April 16, 2012.



PHILIP M. PRO  
United States District Judge